



Committee on Ordinances

February 20, 2007 – 7:30 pm – **Agenda**
City Council Chamber, Room 214, Municipal Building

View Minutes

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1. Public Hearing, on a WRITTEN MOTION, Council President Pimental, requesting that the ZONING of 83 Cleveland Street, Plot 14, Lot 224, be changed from RESIDENTIAL “C” to MIXED-USE BUSINESS. (Ref’d 1/11/07, duly advertised in the Standard-Times on February 6, 2007 and on February 13, 2007)

1 a. Communication – Planning Board

INVITEES: City Planner David Kennedy; Attorney David J. Gerwatowski; City Solicitor Irene B. Schall; Abutters

2. Public Hearing, on a WRITTEN MOTION, Councillors Alves and Koczera, requesting on behalf of Auto Globe Garage, that the ZONING of 6 HATHAWAY STREET, Plot 100, Lot 112, be changed from Industrial (21NB) to MIXED-USE BUSINESS. (Ref’d 1/11/07, duly advertised in the Standard-Times on February 6, 2007 and on February 13, 2007)

2a. Communication – Planning Board

INVITEES: City Planner David Kennedy; Attorney David J. Gerwatowski; City Solicitor Irene B. Schall; Abutters

3. Communication, Mayor Kalisz, submitting to the City Council an Order by which the City of New Bedford will accept the provisions of Chapter 32B, Section 18. (Ref’d 5/22/03, sent to ordinances on 6/13/06, tabled 6/28/06, tabled 11/8/06)

3a. Order, that the City of New Bedford accept the provisions of Chapter 32B, Section 18 to provide that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to the retiree, spouse, or dependent, or eligible for coverage at no cost, shall be required to enroll in Part B and transfer to a Medical extension plan offered by the City, Medex 3. (Ref’d 5/22/03, sent to Ordinance on 6/13/06, tabled 6/28/06, tabled 11/8/06)

INVITEES: City Solicitor, Irene B. Schall; Personnel Director, Angela Natho; Union Representatives

4. WRITTEN MOTION, Councillor Gonsalves, requesting that the Planning Board be invited to a meeting of the Ordinance Committee to discuss possible legislation to prevent commercial developers from subdividing their existing commercial developments, in order to add more businesses, especially when those developments abut residential areas. (Ref’d 7/17/03, tabled 7/8/04, tabled 3/29/05)

INVITEES: City Planner, David A. Kennedy; City Solicitor, Attorney Irene B. Schall; Attorney David J. Gerwatowski; Planning Board Members: George N. Smith, Robert K. Gardner, Jr., Attorney Raymond Patnaude, Derek Santos, Benjamin R. Watkins, Jr.

5. WRITTEN MOTION, Councillors Farias & Pimental, requesting that the Committee on Ordinances consider amending the Ordinance that currently requires 1-1/2 parking spaces per unit for multi-family units to increase to 2-1/2 spaces per unit. (Ref'd 10/9/03, not heard 11/28/06 remain in committee)

INVITEES: City Planner, David A. Kennedy; City Solicitor, Attorney Irene B. Schall; Attorney David J. Gerwatowski

6. Written Motion, Councillors Gonsalves & Pimental, requesting that the Zoning Ordinances be amended to prohibit drive-thru windows at fast food restaurants as has already been done in Marion, and Milton, MA. (Ref'd 08/19/04, referred to Legal Counsel 10/18/04, remain in committee 10/11/06, not heard 11/28/06 remain in committee)

INVITEES: City Planner, David A. Kennedy, City Solicitor, Irene B. Schall; Attorney David J. Gerwatowski

7. Written Motion, Councillor Gonsalves, requesting that the Ordinance Committee consider amending Chapter 9 of the City's Zoning Code, under definitions of dwelling unit and family, so as to close the loophole, which allows landlords to operate boarding houses, dormitories and frat houses in residential neighborhoods; and further, that the said amendment should also include language relative to enforcement of authority so that violations of the Ordinance can be enforced. (Ref'd 10/27/05)

INVITEES: Acting DIS Commissioner, Danny Romanowicz

8. Written Motion, requesting that the City Council ask the Mayor to instruct the Chief of Police to design/create and distribute a ticket specifically designed to cite and fine those found littering in the City of New Bedford; it has been explained that the current violation ticket books do not include a littering option, and that to cite and fine a person(s) or business that is in violation, the Officer must fill out a report, which is then addressed through the Court System; and further, since it has been determined the creation of a specific ticket, (one of a different color than the current tickets) would provide the Police Department with the necessary tool to issue a violation and fine at the time of incident, that the Administration look into implementing this "newly created" ticket as soon as possible, preferably before our summer season, during which littering escalates throughout the City. (Ref'd 4/27/06, schedule for December meeting for status on matter 10/11/06)

INVITEES: Rep. Of the Mayor, Nelson Ostiguy; Police Chief, Ron Teachman

Chairperson suggests "No Further Action" on the following item:

9. Written Motion, Councillor Gonsalves, requesting that the Ordinance Committee devise an ordinance whereby any Utilities seeking to install a pole or vault on City property be required to pay a fee of \$50.00 to the City so the Engineering Department can research whether said siting would interfere with any further placement of a driveway or other construction so as to avoid the current situation where the utilities are preventing property owners from installing driveways, etc., due to these easements. (Ref'd 6/24/04; Ref'd to Legal Counsel for drafting 2/17/05, remain in committee 10/11/06, Ref'd to Legal Counsel for drafting 11/8/06)